

**TOWN OF TURTLE**  
**PLANNING AND ZONING MEETING MINUTES**  
**JULY 19, 2006 7:00 P.M.**

- 1) Call to Order: The meeting was called to order at 7:00 p.m. by Chairperson Tom Straub.
- 2) Pledge of Allegiance
- 3) Roll Call / Quorum Call: Commission Members present included; Roger Anclam, Dan DeLong, Bill Brewer, June Voge, Margaret Palubinski, and Tom Straub.  
Also present were Bill Henderson, Town Attorney and Mike Birkholz, Zoning Administrator.
- 4) Approval of Agenda: Tom Straub made a request to switch items 11a and 11b. Roger Anclam made a motion to approve the Agenda with the change. Margaret Palubinski seconded the motion. The motion carried.
- 5) Public Notices – Future Meetings: Tom Straub mentioned the Safety Committee Meeting Aug. 2, 2006 at 6:30 p.m. and the Town Board meeting on Aug 9, 2006 at 7:00 p.m.
- 6) Citizens Questions / Comments: None
- 7) Zoning Administrator Report: Mike Birkholz reported that 2 permits were issued, one building and one pool.
- 8) Commission Comments: None
- 9) Approval of Minutes: Roger Anclam made a motion to approve the minutes from the June 21, 2006 meeting as presented. Bill Brewer seconded the motion.
- 10) **Public Hearing 7:15 p.m. : Bob Maly Conditional Use Permit Application to increase Land from 1.4 Acres to approximately 4.5 Acres:**  
Tom Straub read the application and turned the Hearing to Bill Henderson to conduct the Public Hearing. Steve Lathrop from Combs and Associates explained that they were transferring ownership between adjoining owners, enlarging one parcel to encompass the wooded area. Mr. Lathrop said that the two parcels would be combined to have one parcel number.  
Roger Anclam made a motion to approve the Conditional Use Permit as applied for. The parcel of land would fall under A3 Conditional use requirements.  
Margaret Palubinski seconded the motion. Roll vote as follows: Roger Anclam, yes; Dan DeLong, yes; Bill Brewer, yes; June Voge, yes; Margaret Palubinski, yes; and Tom Straub, yes. The motion carried.
- 11) Unfinished Business:
  - b) Lenz / Gleichauf on number of small horses/donkeys on A3 zoned land: Kathy Tim Lenz, 9002 Gustafson Rd., were present and provided information about equine. The Lenzs feel that the ordinance of one large animal per acre should be followed. The Gleichaufs feel that they are allowed 2 miniature horses and or donkeys for every one large animal according to a 1000 lb. Weight limit per acre.  
There was discussion among the commission about the number that should be allowed. Dan DeLong made a motion to direct Town Attorney, Bill Henderson to inform the Gleichaufs that they are in violation of the ordinance by one animal. Margaret Palubinski seconded the motion. Roll vote as follows: Roger Anclam, yes; Dan DeLong, yes; Bill Brewer, yes; June Voge, yes; Margaret Palubinski, yes; and Tom Straub, yes. The motion carried.

a) Animal Count Bill Henderson explained that he had brought the matter back to the planning commission to review once more, the wording for the definition of animal unit. The State Statute defines animal unit by calculation. The commission discussed the wording of animal unit verses animal allowance. Roger Anclam made a motion that the definition be as Bill Henderson wrote it and amend it to include the word equine to include all breeds. Any animal not listed will be at the discretion of the planning commission. June Voge seconded the motion. Roll vote as follows: Roger Anclam, yes; Dan DeLong, yes; Bill Brewer, yes; June Voge, yes; Margaret Palubinski, yes; and Tom Straub, yes. The motion carried.

- c) Animal Siting Ordinance – Set meeting date for combined meeting with Town Board: The meeting was set for Monday, July 24, 2006 at 7:00 p.m.
- d) Complaint: Weeds – 9564 Millington Rd: Mike Birkholz reported that the weeds had been mowed. Mike had talked to the owner and the owner is planning on landscaping, but with the construction of the area still unknown he will wait until plans are clear and set.
- e) Gary Hahn - water run off on Lathers Road – Mike Birkholz reported that he had met with Norm Tadt, Rock County Land Conservation, and that they were taking measure to correct the problem. The culverts had been washed out with the fire trucks.

12) New Business:

- a) Dan Gander – Conditional Use Permit Application: Tom Straub read the Application. Dan Gander was present and explained that essentially he was asking to continue doing what he has been doing and nothing more, just the same operation. Mr. Gander explained that when he bought the property it was zoned B1, and in 1989 he obtained a building permit and the property was zoned A2. At that time he had the understanding that it was one large animal per acre and that the cow and calf equaled one animal unit. Mr. Gander explained that in the mid 90's LeRoy Laursen had given him some information on zoning and everything that he had was ok. Dan DeLong stated that each year the A2 and A3 zoning escalates and more and more questions come about. Mr. DeLong suggested that if Mr. Gander had a letter or information given to him by the Town, he should bring it to the commission. Mr. Gander replied that he had filed it in a safe place, so safe that he can not find it. Bill Brewer's opinion is that if Mr. Gander had been doing this for 20 years, that he should be allowed to keep doing it. Tom Straub pointed out that the animal count is 10 to 15 mature cows and then the calves could in fact double that number. Dan DeLong voiced his confusion on Mr. Brewer's opinion being opposite from his opinion on the animal count per acre as being one per acre in the Lenz / Gleichauf complaint. Mr. Gander felt that he should have been called to discuss the problem rather than being issued a legal notice. There was discussion about the weaning process.

A Public Hearing was scheduled for August 16, 2006 at 7:15 p.m.

- 13) Adjournment: At 8:20 p.m. Roger Anclam made a motion to adjourn the meeting, seconded by June Voge. The motion carried by all ayes.

